

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

MACTEC, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:05-cv-340
	)	(Phillips/Shirley)
BECHTEL JACOBS COMPANY, LLC,	)	
	)	
Defendant.	)	

**MEMORANDUM & ORDER**

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by Order [Doc. 44] of the Honorable Thomas W. Phillips, United States District Judge, for disposition of Non-Party Duratek Federal Services, Inc.'s Motion to Quash or Modify Subpoena Duces Tecum [Doc. 42].

Counsel for Duratek Federal Services, Inc. ("Duratek") has advised the Court that the parties have resolved their discovery dispute. Specifically, counsel has advised that, in light of Duratek's objection to the subpoena issued by Mactec, Inc. on January 27, 2006, Mactec has agreed to issue another subpoena to Duratek. Accordingly, the Court finds that Duratek Federal Services, Inc.'s Motion to Quash or Modify Subpoena Duces Tecum [Doc. 42] is now moot, and it is therefore **DENIED AS MOOT**. If necessary, Duratek shall have leave to renew its motion, if and when the plaintiff issues another subpoena.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge